

### **REMARKS**

Claims 8-14 are pending in the application. Original claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,335,524 to Sakane.

The Amendment filed March 29, 2007 did not correspond to the version of the claims filed October 11, 2006. Applicant is submitting the instant Amendment, properly corresponding to the version of the claims filed October 11, 2006, to replace the Amendment filed March 29, 2007. It is respectfully requested that the instant Amendment be entered and the arguments below be considered.

Pending claims 8-14 have now been cancelled and new claims 15-23 have now been added. Support for new claims 15-23 may be found, for example, in cancelled claim 1 and in the Specification at page 5, line 29, to page 6, line 21. It is respectfully submitted that no new matter has been added. Reconsideration of the application is respectfully requested.

#### **Rejection Under 35 U.S.C. § 112, Second Paragraph**

Claims 1-7 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1-7 were cancelled and claims 8-14 have now been cancelled. New claims 15-23 have now been added to improve clarity. Applicant thanks the Examiner for pointing out the problems. It is respectfully submitted that the new claims particularly point out and distinctly claim the invention.

#### **Rejection Under 35 U.S.C. § 102(b)**

Original claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,335,524 to Sakane. Claims 1-7 have been cancelled, rendering the rejection moot. It is respectfully submitted that new claims 15-23 are patentable over Sakane.

Sakane describes a washing machine that controls rotational speed of its drum in a wash step “so as to be varied in each period of its rotation in a range at least including a speed at which clothes accommodated in the drum are caused to fall down from the inner peripheral wall surface of the drum against centrifugal forces.” See Sakane, Abstract.

New independent claim 15 has been added. Claim 15 recites a method of controlling a laundry treatment machine including

measuring a load parameter using a measuring device, the load parameter being a function of the laundry disposed in the laundry treatment machine;

setting an upper and a lower limit of a rotational speed of a drum of the laundry treatment machine as a function of the load parameter; and

rotating the drum with a drive motor according to the set upper and lower limits.

It is respectfully submitted that Sakane does not teach or suggest setting upper and lower limits of a rotational speed of the drum as a function of a load parameter that is a function of the laundry disposed in the machine, as recited in claim 15. In contrast, Sakane varies the rotational speed of the drum 4 between values  $n_a$  and  $n_b$  based on a reference signal  $S_n$ . Values  $n_a$  and  $n_b$  are determined as a function of gravity  $g$  and the radius  $r$  of drum 4 using equation (3). See Sakane, col. 5, lines 9-11, and Fig. 3. Values  $n_a$  and  $n_b$  are not set as a function of a measured load parameter, as recited in claim 15. Because Sakane is missing at least the “setting an upper and a lower limit of a rotational speed of a drum of the laundry treatment machine as a function of a load parameter” feature of independent claim 15, it cannot anticipate this claim or any of its dependent claims.

For at least the above reason, it is respectfully submitted that new claims 15-23 are patentable over Sakane.

**CONCLUSION**

It is respectfully submitted that the application is now in condition for allowance.

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Respectfully submitted,

By 

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